

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Y-TRAP, INC.,

Plaintiff,

v.

BIOCON LTD. AND BICARA
THERAPEUTICS, INC.,

Defendants.

C.A. No. 1-24-cv-12678-GAO

ORAL ARGUMENT REQUESTED

BIOCON LTD.'S MOTION TO DISMISS THE COMPLAINT

Pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(6), Biocon Ltd. (“Biocon”) hereby moves to dismiss the complaint filed by plaintiff Y-Trap, Inc. (“Y-Trap” or “Plaintiff”) based on lack of personal jurisdiction and failure to state a claim upon which relief can be granted.

As grounds for this motion, Biocon states that Y-Trap lacks standing to bring a claim for correction of inventorship under 35 U.S.C. § 256, and even if it had standing, Y-Trap’s conclusory and speculative allegations fail to state a plausible claim for correction of inventorship. Furthermore, Y-Trap’s § 256 claim is barred by laches and its state-law claims for unjust enrichment, civil conspiracy, and violation of M.G.L. ch. 93A are barred by the statutes of limitations, preempted by federal law, and fail to state claims upon which relief can be granted. Y-Trap also has failed to meet its burden of establishing this Court’s personal jurisdiction over Biocon with respect to Y-Trap’s state-law claims, as Y-Trap’s claims do not arise out of or relate to conduct by Biocon in Massachusetts, and Biocon has not purposefully availed itself of the privilege of doing business in Massachusetts.

For the reasons set forth herein, and in the memorandum of law and declarations of Arshad Jamil and Charles A. Weiss filed herewith, Biocon respectfully requests that this Court

dismiss Plaintiff's complaint with prejudice, and grant such other and further relief as the Court deems just and proper.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Biocon respectfully requests oral argument on this motion to dismiss.

Dated: January 21, 2025

Respectfully submitted,

BIOCON LTD.,

By its attorneys,

/s/ Michael T. Maroney

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LOCAL RULE 7.1 CERTIFICATION

The undersigned counsel for Biocon hereby certifies that he conferred in good faith with Plaintiff's counsel by telephone on January 17, 2025, but did not resolve or narrow the issues presented in this motion.

/s/ Michael T. Maroney

Michael T. Maroney

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) this 21st day of January, 2025.

/s/ Michael T. Maroney

Michael T. Maroney